

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:12-cv-00332-MR-DLH**

**BROADCAST MUSIC, INC., et al.**

**Plaintiff,**

**vs.**

**MAGNOLIAS' RAW BAR & GRILLE,  
INC. d/b/a MAGNOLIA'S RAW BAR &  
GRILLE/CINJADE'S; CHRISTOPHER  
J. PETERSON AND NICHOLAS  
JAMES PETERSON, each individually,**

**Defendants.**

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**ORDER**

**THIS MATTER** is before the Court on the Plaintiffs' Motion for Default Judgment [Doc. 15] against Defendants Magnolias' Raw Bar and Grille, Inc. d/b/a Magnolia's Raw Bar & Grille/Cinjade's, Christopher J. Peterson and Nicholas James Peterson, each individually (collectively "Defendants").

It appears from a review of the pleadings that the Complaint was duly served on the Defendants; that the Defendants failed to answer or otherwise respond to the Complaint; that default was entered against the Defendants; and that good cause exists for the entry of a default judgment against each of the Defendants pursuant to Rule 55(b) of the Federal Rules of Civil

Procedure. Further, having reviewed the Plaintiffs' motion and supporting memorandum and affidavits, the Court finds that the Defendants knowingly and intentionally infringed upon the copyrights of seven (7) musical compositions owned and/or licensed by the Plaintiffs.

Accordingly, **IT IS, THEREFORE, ORDERED:**

- (1) Plaintiffs' Motion for Default Judgment against Defendants [Doc. 15] is **GRANTED**;
- (2) Plaintiffs shall recover from the Defendants, jointly and severally, statutory damages in the amount of \$6,000 for each of the seven (7) musical compositions, for a total of \$42,000, pursuant to 17 U.S.C. § 504(c)(1);
- (3) Plaintiffs shall recover from Defendants, jointly and severally, full costs in this action, including reasonable attorney's fees, in the amount of \$6,715, pursuant to 17 U.S.C. § 505;
- (4) Plaintiffs shall recover from Defendants, jointly and severally, interest on the full amount of this judgment, from the date of this judgment, pursuant to 28 U.S.C. § 1961;
- (5) Defendants and their agents, servants, employees and all persons acting under their permission or authority shall be permanently enjoined and restrained from infringing, in any

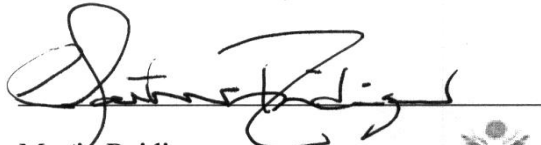
manner, the copyrighted musical compositions licensed by Broadcast Music, Inc.; and

- (6) This Court shall retain jurisdiction over this action for the purpose of enforcing the judgment granted.

A Judgment consistent with this Order is hereby entered simultaneously herewith.

**IT IS SO ORDERED.**

Signed: April 15, 2013

  
Martin Reidinger  
United States District Judge

